

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GERARDO MOTA BAUTISTA, HUGO :
BAUTISTA, JUAN LUIS OVANDO :
ZEPEDA, JUAN ZEPEDA, JULIO :
RICARDO ALVAREZ MACATOMA, :
LEONCIO TORRES ACUNA, MARIO :
MORALES ROJAS, OMAR RODRIGUEZ, :
and ANTONIO LIMON HERNANDEZ :
individually and on behalf of others similarly :
situated, :

PLAINTIFFS, :

VS. :

CIVIL ACTION NO.: 19-CV-08808

COUNTY-WIDE MASONRY CORP., :
CARBEN INDUSTRIES, INC., CARBEN :
CONCRETE, INC., CARBEN :
CONSTRUCTION, INC., ANTHONY :
DERASMO, ANTHONY LOGIUDICE, :
RONALD BROWNING, and MARTIN DOE :
a/k/a PERU :

NOTICE OF MOTION FOR
SUMMARY JUDGMENT BY THE
CARBEN DEFENDANTS

DEFENDANTS. :

CARBEN INDUSTRIES, INC. :

THIRD PARTY PLAINTIFF, :

VS. :

BATRUME INDUSTRIES, INC. and :
COUNTY-WIDE CONSTRUCTION CORP., :

THIRD PARTY DEFENDANTS. :

PLEASE TAKE NOTICE, that upon the parties' Rule 56.1 Statement of Material Facts, the exhibits annexed hereto, and the Memorandum of Law and upon all prior pleadings and proceedings herein, Defendants, Carben Industries, Inc., Carben Concrete, Inc., Carben Construction, Inc., Anthony LoGiudice, and Ronald Browning (the "Carben Defendants"), by and through its attorneys, Tesser & Cohen shall move before the Honorable Analisa Torres, at the United States Courthouse for the Southern District, for an Order pursuant to Fed. R. Civ. P. R. 56, and pursuant to the Court ordered briefing schedule, for an Order of summary judgment as follows:

1. Granting the Carben Defendants' summary judgment against Plaintiffs; and,
2. Dismissing all Cross Claims asserted by Defendant, County Wide Construction Corp.

Dated: Hackensack, New Jersey
September 8, 2022

TESSER & COHEN
Attorneys for Carben Industries,
Inc., Carben Concrete, Inc., Carben
Construction, Inc., Anthony
LoGiudice, and Ronald Browning

By: 

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